

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL CASE NO. 5:23-cv-00064-MR**

<b>DAVID MEYERS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>JOHN DOES, et al.,</b>	)	<b>ORDER</b>
	)	
<b>Defendants.</b>	)	
	)	

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**THIS MATTER** is before the Court on Plaintiff's pro se "Motion for Relief" [Doc. 22].

The incarcerated pro se Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983. [Doc. 1]. On June 11, 2023, the Clerk entered an Order Waiving Initial Partial Filing Fee and Directing Monthly Payments be Made from Prison Account. [Doc. 8]. However, the Court vacated that Order on June 29, 2023, upon dismissing the case under the PLRA's "three strikes" provision, 28 U.S.C. § 1915(g). [Doc. 11]. That Order directed the Court's financial department to reimburse the Plaintiff for any deductions from his inmate account, and to mail a copy of this Order to the Alexander

Correctional Institution so that withdrawals from Plaintiff's inmate account in this case can be terminated. [Id.]

In the Plaintiff's instant Motion, he argues that the filing fee debt remains on his trust account despite the Court's June 29 Order. [Doc. 22]. He seeks an Order instructing the North Carolina Department of Adult Corrections to cease collection of the filing fee for this case. The Plaintiff has filed a document that purports to be a printout of his Prisoner Trust Fund Account Statement dated July 24, 2023, that includes a \$350 debt for the filing fee in Case No. 5:23-cv-64. [See Doc. 23].

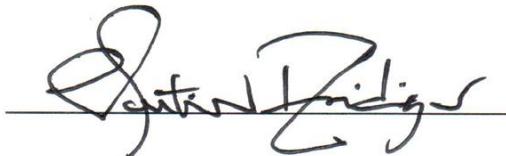
The Motion is moot in that the Court has already vacated the Order establishing a debt for the filing fee in this case, and the Alexander Correctional was informed that no further funds are to be transmitted for the same. Indeed, the Court has received no funds from the Plaintiff's prisoner account, to date. However, the Court will instruct the Clerk to mail the prison another copy of the June 29 Order, as a courtesy.

**IT IS, THEREFORE, ORDERED** that Plaintiff's pro se "Motion for Relief" [Doc. 22] is **DENIED AS MOOT**.

The Clerk is respectfully instructed to mail the Plaintiff a copy of the Court's June 29, 2023 Order [Doc. 11], and of this Order to the Warden of the Alexander Correctional Institution.

**IT IS SO ORDERED.**

Signed: August 14, 2023



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Martin Reidinger  
Chief United States District Judge

